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Attorneys for Defendant
MARIO GONZALEZ

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIO GONZALEZ,

Defendant.

CASE NO. 2:20-CR-00013 WBS

STIPULATION AND ORDER TO CONTINUE
JUDGMENT AND SENTENCING HEARING AND
MODIFY PRESENTENCE SCHEDULE

DATE: August 12, 2024
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Defendant, Mario Gonzalez, by and through his counsel of record, and plaintiff, by and through
it's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for judgment and sentencing on August 12, 2024.
Mr. Gonzalez filed a motion to dismiss pursuant to *United States v. Duarte*, 101 F.4th 657)9th Cir.
2024), setting the motion for hearing on the same date that was previously set for the judgement and
sentencing. The United States moved to hold the motion to dismiss in abeyance for a period of 60 days
or until the Ninth Circuit reached a decision on the government's petition for rehearing en blanc in
Duarte. The United States Court of Appeals has scheduled oral argument for the beginning of
December 2024. While the *Duarte* opinion has presently been vacated pending the rehearing en blanc,
Mr. Gonzalez wishes to continue the motion hearing pending the outcome of the en blanc proceedings.
The United States does not object to this requested continuance.

2. Additional time is now necessary before the parties are prepared to proceed to sentencing. By this stipulation, the parties now move to continue the judgment and sentencing hearing until January 13, 2025.

3. The parties understand that this date is available to the Court for a continued judgment and sentencing hearing.

4. It is therefore requested that the motions hearing, and judgement and sentencing date currently scheduled for August 12, 2024 be continued to January 13, 2025, at 9:00 before this Court.

IT IS SO STIPULATED.

Dated: August 5, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ EMILY SAUVAGEAU

EMILY SAUVAGEAU
Assistant United States Attorney

Dated: August 5, 2024

/s/ TAMARA SOLOMAN

TAMARA SOLOMAN
Counsel for Defendant
MARIO GONZALEZ

ORDER

IT IS SO FOUND AND ORDERED.

Dated: August 9, 2024.


CHIEF UNITED STATES DISTRICT JUDGE